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17

ORIGIN EB-07

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DRAFTED BY EB/AN:WBCOBB:TP

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FM SECSTATE WASHDC

TO AMEMBASSY MANILA

LIMITED OFFICIAL USE STATE 203183

E.O. 11652: N/A

TAGS: EAIR, RP

SUBJECT: CIVAIR: REPORT ON PAL SEIZURE CASE

REF: MANILA 11738

1. CAB STAFF ADVISES THAT US DISTRICT JUDGE ON AUGUST 21, IMPLEMENTED DECISION OF JUNE 5 WHICH GRANTED USG MOTION FOR PARTIAL SUMMARY JUDGMENT ON LIABILITY IN THE CIVIL PENALTY ACTION. THIS IN EFFECT UPHELD BOARD'S RIGHT TO SEIZE AIRCRAFT. FINE OF US DOLS 267,000 WAS IMPOSED. BOARD STAFF EXPECTS PAL ATTORNEYS WILL APPEAL TO HIGHER COURT.

2. COURTS DECISION MAY OR MAY NOT STAND UP UNDER APPEAL BUT SO LONG AS APPEAL IS PENDING OPPORTUNITY FOR CARRIER TO PROPOSE COMPROMISE SETTLEMENT IS NOT FORECLOSED. EMBASSY SHOULD AGAIN STRONGLY URGE CARRIER TAKE INITIATIVE ALONG
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THIS ROUTE WITH US DISTRICT ATTORNEY FOR NORTHERN DISTRICT

OF CALIFORNIA. INGERSOLL

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Message Attributes

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Draft Date: 26 AUG 1975
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Disposition Authority: greeneet
Disposition Case Number: n/a
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